

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RICHARD JOHN BAUER
and JOSHUA RICHARD BAUER,

Plaintiff,

v.

ORDER

12-cv-453-wmc

JUDGE WILLIAM A. KELLY,
JUDGE VICTOR V. SPRENGELMEYER,
TERRY KURT, CARTER NEWTON,
JAY DICKERSON, ROBERT ROTH,
JERRY WESTEMEIR and KIETH BRANDEL

Defendants.

Plaintiffs Richard Bauer and Joshua Bauer have submitted a proposed complaint. Plaintiffs have asked for leave to proceed *in forma pauperis* and have supported their request with affidavits of indigency. The factors for determining whether a plaintiff qualifies for indigent status are:

- From plaintiff's annual gross income, the court subtracts \$3700 for each dependent excluding the plaintiff.
- If the balance is less than \$16,000, the plaintiff may proceed without any prepayment of fees and costs.
- If the balance is greater than \$16,000 but less than \$32,000, the plaintiff must prepay half the fees and costs.
- If the balance is greater than \$32,000, the plaintiff must prepay all fees and costs.
- Substantial assets or debts require individual consideration.

In this case, plaintiff Richard Bauer has a monthly income of \$790, which makes his annual income \$9,480. Plaintiff Joshua Bauer has a monthly income of approximately \$600, which makes his annual income \$7,200. Because both plaintiffs have an annual income of less than \$16,000, they can proceed without any prepayment of fees or costs.

Accordingly, IT IS ORDERED that plaintiffs' complaint is taken under advisement. As soon as the court's calendar permits, the complaint will be screened pursuant to 28 U.S.C. § 1915 to determine whether the case must be dismissed either because the complaint is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief against a defendant who is immune from such relief. Plaintiffs will be notified promptly when such a decision has been made. In the meantime, if plaintiffs need to communicate with the court about this case, they should be sure to write the case number shown above on their communication.

Entered this 27th day of June, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge